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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,285	04/16/2004	Tsun-Zong Wu	FP10171	7936

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EXAMINER

GRAYSAY, TAMARA L

ART UNIT PAPER NUMBER

3636

DATE MAILED: 06/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/825,285

Applicant(s)

WU, TSUN-ZONG

Examiner

Tamara L. Graysay

Art Unit

3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 August 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to because of the following:
 - FIG. 9: reference character 34 (between reference characters 5 and 32) should be 35 because the lead line is directed to the ring.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:
 - 1:22: The word [tiop] should be top.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuchida (JP-11-42108).

a. Claim 1: Tsuchida discloses a handle connected to a shaft to form an umbrella, a handle strap (1,2) secured at an inner end to the handle (FIG. 1) and a clip hooking means (3) on an outer surface of the handle (FIG. 2). The outer section of the handle strap engages with the clip hooking means (FIG.2, 4, 5A-5C) for hanging to a closed item.

b. Claim 2: Tsuchida's clip hooking means is a hook.

4. Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Noma (JP-11-89614).

Claims 1 and 6: Noma discloses a handle connected to a shaft to form an umbrella (FIGS. 5-8), a handle strap (1) secured at an inner end to the handle (FIGS. 5,7) and a clip hooking means (detachable fastening 4) on an outer surface of the handle (FIGS. 5,7).

The outer section of the handle strap (detachable fastening 3) engages with the clip hooking means (FIGS.6,8). The recited statements of intended use and process of using step (i.e., for hanging to a closed item, hung to said closed item) do not define over the reference, which meets all of the structural limitations of the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchida (JP-11-42108) as applied to claim 2 above, and further in view of D'Addario (US-6543094).

Claim 3: D'Addario suggests a clip hooking means that is integrally formed on a support member (FIG. 1). A clip hooking means that is integral with the handle provides for reduced manufacturing costs because attachment means for the clip are unnecessary.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the clip hooking means of Tsuchida to be integrally formed on the handle, such as suggested by D'Addario, in order to reduce manufacturing costs.

6. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchida (JP-11-42108) as applied to claim 2 above, and further in view of Etter (US-6688407).

Claims 4 and 5: Etter suggests using a clip (e.g., 200; FIG. 6A, etc.) separate from the support surface and attached to the support surface using a screw (fastener 291). Such an arrangement allows for the clip hooking means to be replaced if it becomes damaged.

It would have been obvious to one of ordinary skill in the clasp/fastener art at the time the invention was made to modify the clip hooking means to be separate from the handle, such as suggested by Etter, in order to allow replacement of the clip if it becomes damaged.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchida (JP-11-42108).

Claim 7: Tsuchida discloses a handle connected to a shaft to form an umbrella, a handle strap (1,2) secured at an inner end to the handle (FIG. 1) and a clip hooking means (3) on an outer surface of the handle (FIG. 2). The outer section of the handle strap engages with the clip hooking means (FIG.2, 4, 5A-5C) for hanging to a closed item. The outer section of the handle strap includes a ring (see FIGS. 2, 4).

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchida (JP-11-42108) as applied to claim 1, and further in view of Oshio (JP-10-304914).

Claim 8: The Tsuchida handle strap (1,2) is secured to the handle at one end and engaged with a hook at the other end (see FIG. 2). Tsuchida utilizes a hook to secure the handle strap to the handle.

Tsuchida lacks the groove and ball head structure for releasably detaching the elements.

Oshio teaches the use of a ball (4b; FIG. 8B) on the end of a strap that engages a slot or groove (8b) on the handle. This arrangement provides a way of adjusting the

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length of the strap (4b) by aligning the groove (8b) on the handle (8) between various balls along the strap (4b). Further, the clip hooking means is contained within the confines of the handle and not extending outwardly. This will prevent accidental damage to the clip hooking means and prevent the clip hooking means from catching on the clothing or skin of a user.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the strap of Tsuchida to substitute a ball head end inserted in a groove, such as suggested by Oshio, in order prevent accidental damage to the clip hooking means and to prevent the clip hooking means from catching on the clothing or skin of a user.

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Conclusion

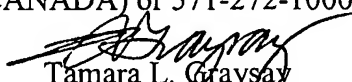
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Tsuchida (JP-10-42921), Tsuchida (JP-10-94409), Tsuchida (JP-10-99114) and Sanada (JP-2005-253718) teach a handle having means for securing the handle to a closed item.
- Berman (US-6167596) generally teaches a ball head (20) on the end of a strap (18) that engages with a groove (41) in a support element (22).
- Bishop (US-1042875) teaches a strap (16) having a ball head end (17) that engages a groove (14) in a support element (4).
- Chen (US-6052868) teaches a strap (2) that has an aperture (13) on the handle (1) and a hook (21) on the outer fold of the strap (2).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara L. Graysay whose telephone number is 571-272-6728. The examiner can normally be reached on Mon - Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Cuomo, can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Tamara L. Graysay
Examiner
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